

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case Nos.	2:18-cv-07765-SJO (SK); 2:18-cv-08122-SJO (SK)	Date	September 20, 2018
Title	Cardona v. United States District Court Central District of California; Cardona v. United States District Court		

Present: The Honorable Steve Kim, U.S. Magistrate Judge

Connie Chung

n/a

Deputy Clerk

Court Smart / Recorder

Attorneys Present for Petitioner:

Attorneys Present for Respondent:

None present

None present

**Proceedings:** (IN CHAMBERS) **ORDER TO SHOW CAUSE RE: VEXATIOUS LITIGANT**

On August 15, 2018, Petitioner filed his 14th successive federal habeas petition attacking his 1984 state conviction. On August 31, 2018, the Court dismissed that petition and warned Petitioner that if he continued to file successive petitions challenging the same conviction, the Court may declare him a vexatious litigant. *See* Case No. 2:18-cv-07074-SJO (SK). But on September 6, 2018, the Court received two more habeas petitions—his 15th and 16th—that are, again, impermissibly successive (and deficient for many other reasons too). *See* 28 U.S.C. § 2244(b)(3)(A); *McNabb v. Yates*, 576 F.3d 1028, 1029 (9th Cir. 2009). Giving Petitioner the benefit of the doubt since he may not have received the August 31 order before he filed his September 6 petitions, another copy of the August 31 order is attached.

**Petitioner is now deemed fully on notice of the possibility that he will be declared a vexatious litigant.**

Petitioner is **ORDERED TO SHOW CAUSE** why the Court should not dismiss the two most-recently filed habeas petitions in the above-captioned case numbers for being improperly successive *and* declare Petitioner a vexatious litigant within this District. *See* Fed. R. Civ. P 41(b); L.R. 41-1; L.R. 83-8. Petitioner may satisfy and automatically discharge this order to show cause by voluntarily dismissing both successive habeas petitions using the attached Notice of Voluntary Dismissal forms. If by no later than **October 22, 2018**, Petitioner fails to discharge or respond to this order, his successive petitions may be dismissed for failure to prosecute/obey court orders *and* the Court may issue an order declaring Petitioner a vexatious litigant under Local Rule 83-8.

The Clerk is directed to attach a copy of the Court's August 31 order in Case No. 2:18-cv-07074-SJO (SK); to provide Petitioner *two* copies of the Notice of Voluntary Dismissal (CV-009), each captioned with the respective case number for the two recently-filed petitions; and to include a copy of the Court's Local Rule 83-8.

**IT IS SO ORDERED.**